

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

TRUTEK CORP.,

Plaintiff,

v.

YEONG WAN CHO (a.k.a. PETER CHO,
ET AL.,

Defendants.

Civil Action No.

2:23-cv-3709 (JKS) (JRA)

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**DEFENDANTS' LETTER RESPONDING TO TRUTEK CORP.'S MOTION (DOC. 70)
FILED WITHOUT PRIOR WRITTEN PERMISSION FROM THE COURT**

Without prior written permission from the Court, Plaintiff Trutek Corp. (Trutek) filed a Motion to Stay Case (Doc. 70). Defendants Salvacion, USA, Inc., Yeong Wan Cho (aka Peter Cho), Salvacion International, LLC, and BioSure Global, Ltd. (Defendants) present this Letter seeking clarification from the Court on how to proceed in light of Trutek's improper Motion.

1. On December 1, 2023, the Court entered the Pretrial Scheduling Order. Doc. 55.

2. On January 29, 2024, the Court entered a First Amended Scheduling Order, which amended dates relative to deadlines under the Local Patent Rules but kept in place all other terms in the original order. Doc. 64.

3. The Pretrial Scheduling Order mandates: "**No motions are to be filed without prior written permission from this Court, excepting motions in lieu of Answer under Fed. R. Civ. P. 12.** These prerequisites must be met before any motions are filed and the motions will be returned if not met." Doc. 55, ¶ 25 (emphasis in original).

4. On February 12, 2024, Trutek filed a Motion to Stay Case without prior written permission from this Court.

5. Under the terms of the Pretrial Scheduling Order, that motion should be returned.
6. Defendants will ultimately oppose Trutek's Motion at the proper time.
7. Defendants submit this Letter seeking clarification from the Court: whether the Court would prefer to set a telephonic conference with the parties to discuss the issue raised in Trutek's Motion; whether the parties should submit a joint letter setting for the parties' positions; or whether Defendants should proceed to file a response in opposition with a memorandum of law.

Respectfully submitted,

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